REMARKS

This communication is in response to the Office Action mailed on February 22, 2007. In the Office Action, claims 1-38 were pending. With this Amendment, claims 1 and 19 have been amended as discussed below and claim 12 has been amended to correct a typographical error.

CLAIM REJECTIONS 35 U.S.C. §101

Claims 1-26 were rejected under 35 U.S.C. § 101 because the claimed invention was deemed to be directed to non-statutory subject matter. In particular, these claims were rejected as being directed to an idea or abstract intellectual concept. As provided in MPEP §2106, an abstract idea for a practical application is eligible for patent protection. A practical application can either transform a physical object to a different state or otherwise provide a useful, concrete and tangible result. Applicants submit that a computer readable medium having material that exhibits a functional interrelationship with a computer and/or a user constitutes a practical application and thus includes patentable subject matter.

Claim 1 has been amended to recite, "a stepwise module including instructions executed by the computer... to establish an interaction with a user" and "initializing an operation associated with the instructions of the stepwise module during the interaction." Thus, claim 1 describes an interaction of a stepwise module with a computer and also an interaction between the computer and a user. Thus, amended claim 1 is believed to recite patentable subject matter.

Claim 19 has been amended to recite, "a VoiceXML module having VoiceXML executable instructions that establish an interaction between the computer and a user." Furthermore, claim 19 recites, "a SALT module... to execute instructions associated with the VoiceXML module during the interaction." These features further recite both interaction with the computer itself as well as a user. Due to these interactions, features of claim 19 are believed to recite patentable subject matter.

In view of the foregoing, Applicants submit that claims 1 and 19 as well as claims depending therefrom meet the requirements of 35 U.S.C. §101. As such, withdrawal of this rejection is requested.

CLAIM REJECTIONS 35 U.S.C. §102

Claims 1-38 were rejected under 35 U.S.C. §102(e) as being anticipated by Marquette et al. (U.S. Patent Application 2004/0125794). Marquette et al. describe a data device to speech service bridge. The bridge 400 illustrated in FIG. 4 includes a data device communicator 502. The data device communicator 502 can form an interface with data devices 402 such as a handheld device or a cell phone. As provided in paragraph 31, "the interface will accept both high and low level resource-based commands, such as, for example, speech application language tags (SALT), XHTML plus VoiceXML (X+V), or the like." While data device communicator 502 can accept commands in SALT and VoiceXML, there is simply no teaching or suggestion that bridge 400 provides any interaction between modules that operate under different programming scenarios.

In contrast, aspects of concepts presented in the present specification relate to combining use of a stepwise module with an object oriented tool module. By providing this functionality, elements from separate programming languages can be combined for added flexibility.

In claim 1, a computer readable medium is recited that includes instructions to cause a computer to process information. The instructions include a stepwise module that includes instructions executed by the computer in a defined order based on an execution algorithm to establish an interaction with a user. Furthermore, an object oriented module includes at least one object having a temporal trigger for initializing an operation associated with the instructions of the stepwise module during the interaction.

While data device communicator 502 includes the capability of accepting commands in both SALT and VoiceXML, there is simply no teaching or suggestion of including a temporal trigger that initializes an operation associated with instructions in a stepwise module. Marquette et al. simply to not provide any objective evidence whatsoever for combining a stepwise module in an object oriented module. For these reasons, claim 1 is believed to be allowable. Furthermore, claims 2-18 are also believed to be allowable at least based on their relation to claim 1.

Claim 19 recites a computer readable medium having a markup page executable by a computer. The markup page includes a VoiceXML module having VoiceXML executable

instructions that establish interaction between the computer and the user. The markup page also includes a SALT module having speech application language tags to execute instructions associated with the VoiceXML module during the interaction. Again, while bridge 400 can receive instructions in both SALT and VoiceXML, there is simply no teaching or suggestion of a SALT module that executes instructions associated with the VoiceXML module. Instead, it is believed that the Office Action has relied on an overly broad interpretation of what is discussed in Marquette et al. However, Applicants fail to find any objective evidence whatsoever of interaction between a VoiceXML module and a SALT module. As such, claim 19 is believed to be allowable. In addition, claims 20-26 are believed to be allowable at least based on their relation to claim 19.

Claim 27 recites a method for providing in interactive user interface. The method includes establishing a stepwise dialogue executing instructions in a defined order. The instructions include objects for processing events associated with at least one of recognizing, prompting and messaging. The method further includes performing an object oriented operation upon encountering an object associated with the instructions to provide at least one of the but not all events in the dialogue associated with recognition, prompting and messaging.

While bridge 400 of Marquette et al. can perform a stepwise dialogue, recognition, prompting and messaging performed by the dialogue is all performed with one language (i.e. SALT or VoiceXML). There is no teaching or suggestion for providing a stepwise dialogue for some events and an object oriented operation for other events. For these reasons, claim 27 is believed to be allowable. Furthermore, claims 28-38 are also believed to be allowable at least based on their relation to claim 27.

ALLOWABLE SUBJECT MATTER

Claims 32, 33, 35 and 36 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants acknowledge this allowable subject matter.

In view of the foregoing, Applicants submit that claims 1-38 are in condition for allowance. Applicants respectfully request a Notice of Allowance be issued.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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